(6)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

WRIT PETITION NO. 2306 OF 2002

PETITIONERS : 1. Shatrughan Lal Devangan, son of Shri Motiram Devangan, aged about 34 years, resident of Churikalan, Tehsil-Katghora, District-~~Bilaspur~~ Korba (CG)

: 2. Dayaram Netam, son of Ram Charan Netam aged about 36 years, resident of Ayodhyapuri, Jalgaon, Tehsil-Katghora, District-~~Bilaspur~~ Korba (CG).

: 3. Shivnandan Prasad Shriwas, son of Ramshar Shriwas, aged about 42 years, Resident of Tehsil-Katghora, District-~~Bilaspur~~ Korba (CG)

: 4. Dhaneshwar Prasad Soni, son of Dadu Lal Soni, aged about 35 years, resident of Churikalan, Tehsil-Katghora, District-~~Bilaspur~~ Korba (CG).

: 5. Bhagwan Prasad Patel, son of Dadu Ram Patel, aged about 44 years, resident of Village-Jamni Pali. Distt. Korba (C.G.)

: 6. Vishwanath Devangan, son of Santuram Devangan, aged about 32 years, resident of Village-Rahaud, District-~~Bilaspur~~ Korba (CG).

: 7. Laxmi Narayan Jaiswal, son of Ram Bahor Jaiswal, aged about 38 years, resident of Village-Chainya, Tehsil-Katghora, District-~~Bilaspur~~ Korba (CG).

P.R. No. 2294/02
Presented by Shri Advocate
dated 23.10.02

V E R S U S

RESPONDENTS : 1. The State of Chhattisgarh, through its Secretary, Department of Health and Family Welfare, Mantralay, D.K.S. Building, Raipur (CG).

: 2. The State of Madhya Pradesh, through its Secretary, Department of Health and Family Welfare, Mantralay, Vallabh Bhawan, Bhopal, (M.P.)

: 3. The M.P. Board of Ayurvedic and Unani System of Medicine and Naturopathy, Bhopal, (MP), through the Registrar, Shyamla Hills, Bhopal (MP).

: 4. Chhattisgarh Board of Ayurvedic and Unani system of Medicine and Naturopathy, Raipur, through its Registrar, Raipur (CG).

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

(49)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P.No. 2306/2002

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	05.04.2003 Shri Awadh Tripathi, counsel for the petitioners. Shri Ranbir Singh, Govt. Advocate for the State. None for respondents No. 2,3 & 4. by State Counsel For Petitioner submits that Case is Similar to WP(S)655/2002. Notice Issue ~~Since a common question is involved in this writ petition.~~ on the prayer of the learned counsel for the parties, it is heard and is being disposed of at the admission stage. In view of the limited nature of the prayer made at the time of hearing, which is for a direction to the respondent No.4 to consider the question of registration of the petitioner in accordance with the rules, regulations and guidelines governing the field, no useful purpose will be served in keeping this writ petition pending, which on the prayer of learned counsel for the parties, is being disposed of at the admission stage. According to the petitioners, they have acquired Vaidya Visharad and Ayurved Ratna qualification from Hindi Sahitya Sammelan, Prayag-Allahabad and on the basis thereof, they had approached respondent No.4 for issuance of a form so as to enable them to apply for registration, but the said respondent No.4 did not issue any form with the result	

[पीछे देखिये

(50)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 2306/02 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

that they have not been able to get themselves registered as Pharmacists. Aggrieved therewith, the petitioners are before this Court.

In support of their claim for registration reliance is placed on a decision of the M.P.High Court in M.P.No. 287/1990 (Sekhar Jain Vs. State of M.P.) and Chhattisgarh High Court in W.P.No. 338/2001 (Zehirulla Khan & another Vs. State of Chhattisgarh & others), copies whereof are annexed as P/1 & P/9 to the writ petition. In rebutal, the State has relied on the judgment of the Supreme Court in the case of State of Rajsthan Vs. Lata Arun, 2002 A.I.R. S.C.W.2966. However, in view of the limited nature of the prayer made, it is not necessary to go into the merits of the case.

Accordingly, in view of the prayer made at the time hearing, the writ petition is disposed of by directing the respondent No.4 to issue appropriate forms to each petitioner so as to enable them to apply for registration. It is made clear that the issuance a form under the direction of a Court is not to be construed as direction requiring the said respondent to grant registration to the petitioners. The question of their registration will have to be decided on merits by the respondent No.4 in accordance with the

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(51)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. 2306/02

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	rules, regulations and guidelines governing the field and in case the authorities come to the conclusion that under the said rules, regulations and guidelines the petitioner is not entitled for registration, this order shall not preclude them from passing appropriate orders to that effect. In view of the above, M.W.P.No.1359/2002 for interim relief and I.A.No.7289/2002 for urgent hearing stand disposed of. Certified copy as per rules. Sd/- Fakhruddin Judge	

Rao/-

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